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SUBJECT: DEATH OF INDONESIAN MAID HIGHLIGHTS CONTINUING  
MIGRANT WORKER PROBLEMS IN MALAYSIA

REF: KL 775 TIP AMBASSADOR CDEBACA'S VISIT TO  
MALAYSIA AUGUST 25-27

[1](#)1. (SBU) Summary and Comment: On October 26, Muntik Hani, an Indonesian woman working as a maid in a Selangor, Malaysia suburb, died of injuries sustained allegedly at the hands of her Malaysian employers, an extreme case of the abusive treatment that Indonesian maids sometimes receive here. Her employers have been arrested and two senior police officials have been assigned to head the investigative task force. This is merely the most recent case in a series of incidents of Malaysian mistreatment of Indonesian migrant workers that has strained relations between the neighboring countries. The government of Indonesia has pushed to update an MOU between the nations that would offer better protections for its migrant workers. The GOM appears to be taking this incident seriously and working hard to ease tensions between Malaysia and its neighbor, Indonesia. End Summary and Comment.

[1](#)2. (SBU) On October 20, police rescued Hani from the house of her Malaysian employer, A. Murugan, an ethnic Indian Tamil employed as a vendor of sugar cane juice. The Indonesian domestic cleaner who was hired to replace Hani found her in a locked bathroom. Police reported that when she was found, Hani was tied up around her arms and legs, had bruises all over her body, a broken back and wrist, and a serious wound to her right leg that exposed bone. She appeared to have been locked in the bathroom for two days without food.

[1](#)3. (SBU) On October 24, Hani fell into a coma and on October 26, she died from her injuries. The police have classified the case as a murder and have arrested her employer, A. Murugan, his wife, and his mother. Deputy Inspector-General of Police Tan Sri Ismail Omar has announced he and Federal Criminal Investigative Division Director Datuk Seri Bakri Zinin will be heading the investigative task force. Murugan had his first appearance in court on Friday October 30. He has been charged with murder and faces the death penalty if convicted. On November 3, Murugan pled not guilty to the charges against him. His trial is scheduled for January 18, [1](#)2010.

#### MIGRANT WORKERS: A HISTORY OF MISTREATMENT

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[1](#)4. (SBU) Malaysia is one of Asia's largest importers of labor and depends heavily on domestic workers from Indonesia. UNHCR estimates that there are three million migrant workers living in Malaysia of which one million are present illegally. NGOs estimate that well over one million migrants living in Malaysia are from Indonesia. Although Malaysians welcome the cheap labor they tend to blame the ills of society on migrant workers and view them as illegal immigrants and criminals.

[1](#)5. (SBU) Mistreatment and abuse of migrant workers and maids is a contentious issue and a major cause of the strained

relationship between Malaysia and Indonesia in recent years. The Indonesian press has picked up on Hani's story and have given it prominent coverage. News of the death angered Indonesians and led to a peaceful 30-person protest outside the Malaysian Embassy in Jakarta. Although the GOI has publically praised the GOM's firm handling of Hani's case, it likely feels pressure to take further action to protect its migrant workers overseas. Hani's case is not the first indication that Indonesian maids suffer abuse in Malaysia. In early 2004, another Indonesia maid, Nirmala Bonot, was the subject of abuse by her Malaysian employer that included being burned with a hot iron and having boiling water thrown on her. In November 2008, her employer was sentenced to 18 years in jail. In June 2009, Siti Hajar, also an Indonesian maid, suffered similar abuse at the hands of her employer before she escaped. Hajar's case prompted Indonesia to temporarily ban the sending of domestic workers to Malaysia and a call for a newly negotiated memorandum of understanding (MOU) between the two countries. On June 25, The Star, a major local newspaper, reported that Indonesian authorities receive up to 150 complaints per month alleging ill treatment, overwork, unpaid salaries, and physical abuse in Malaysia. Speaking on October 30 at a seminar on migrant workers' access to health care, Irene Fernandez, Director of the local NGO Tenaganita said "the living conditions of Indonesian migrant workers in Malaysia can be described as the three D's ) Dangerous, Dirty, and Difficult.8

16. (SBU) In an August 27 meeting with Ambassador for TIP CdeBaca, Senior Deputy Secretary General of the Ministry of Home Affairs Raja Azahar confirmed that the GOM was working with Indonesia to create a new migrant workers' MOU to be

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announced shortly that would include a minimum wage for Indonesian migrant workers, specific language restricting the confiscation of passports, and one day off per week (See Reftel). In addition, he noted that the MOU would also mandate that employers pay migrant employees by depositing their paychecks into a bank account in the migrant's name to allow the GOM the ability to monitor whether employers are complying with the agreement. Subsequent meetings with GOM officials as well as news reports corroborate that such efforts are ongoing but an agreement has not yet been reached. (COMMENT: Indonesian President Susilo Bambang Yuhoyono's trip to Malaysia scheduled for November 11 presents an opportunity to discuss the MOU as well as the issue of protection of Indonesian maids in Malaysia. END COMMENT).

17. (SBU) Many of the Indonesian migrant workers are women and children, uneducated and poor, and lacking in legal documentation ) traits that make them extremely vulnerable to exploitation by human traffickers. The 2006 MOU between the GOI and the GOM offers few protections to Indonesian Migrant workers and NGOs have criticized it for failing to include basic human rights protections. The billions of U.S. dollars that such workers remit from Malaysia to Indonesia each year likely influenced the GOI to agree to such terms. Indonesians are paid significantly less than their Filipino counterparts, work long hours under poor conditions, have no legal recourse to recoup unpaid wages, and many find themselves in a form of debt bondage wherein their first six months to a year's pay is withheld to cover their travel fees to Malaysia. The GOM and Philippine government agreed on guidelines to protect documented Filipino workers from exploitation, mandating a minimum salary of 1400 Malaysian Ringgit per month (\$400 USD) and one day off per week, in addition to the pre-departure orientation seminars in the Philippines required of all overseas-bound Filipino workers. While these guidelines may be difficult to enforce in practice, they do establish a baseline for protecting the rights and welfare of Filipino workers in Malaysia ) a baseline that Indonesian workers simply do not have.

18. (SBU) There have been two recent cases in Malaysia where

Indonesian maids have lashed out at their employers. On August 18, 2009, a Malaysian court sentenced Hanni Seo to four years, eight months imprisonment for assaulting her employer, Phang Kian Huang. During sentencing, the judge noted that he took into account that Seo was remorseful, had taken responsibility for her actions, and had not been paid by Huang for 20 months. On November 3, 2009, a Malaysian court sentenced Nurhayati Ahmad to six years imprisonment for poisoning her employer, Jaharah Daud. Ahmad's lawyer claimed that Ahmad acted because she could no longer stand being verbally abused by Daud.

PROACTIVE MEASURES TAKEN BY MALAYSIAN GOVERNMENT

¶9. (SBU) Both the Indonesian Ambassador to Malaysia and a spokesman for the Indonesian President have publically praised the GOM's firm handling of Hani's case. They have also expressed their desire to have the case against Murugan proceed quickly unlike the case against Nirmala Bonot's employer which took over four years to prosecute. (COMMENT: Given the scheduling of Murugan's trial for January 2010, it appears that the GOM is making a concerted effort to fast-track this case. END COMMENT).

¶10. (SBU) On October 26, Malaysian Foreign Minister Anifah issued an unprecedented press statement addressing Hani's case in which he expressed the GOM's "deepest sympathy and condolences to the family of the deceased, as well as to all Indonesians." He added that the GOM "condemns all forms of abuse against any worker, regardless of nationality or sector of employment."

¶11. (SBU) On October 27, Home Minister Datuk Seri Hishammuddin Hussein said, "I view this matter seriously and may suggest at the next Cabinet meeting that we set up a special unit, comprising various ministries to prevent a repeat of such a case." He added that the case should be brought to court as soon as possible "and judgment served immediately."

¶12. (SBU) On November 1, The Star reported that when asked for a comment on Hani, Minister of Women, Family, and Community Development Datuk Seri Shahrizat Abdul Jalil said that proper punishment should be meted out against the alleged abuser as soon as possible.

¶13. (SBU) On November 9, Bernama reported that Minister Of KUALA LUMP 00000908 003 OF 003

Human Resources Datuk Dr. S. Subramaniam said that starting on December 1, his ministry will commence making random visits to homes to get feedback on the situation of foreign maids. The visits would be conducted through the Human Resources Ministry's Manpower Department and would concentrate on maids from Indonesia. He added that maids would be told of their rights and given a number to call if they suffered any abuse.

¶14. (U) This cable has been coordinated with U.S. Embassies Jakarta and Manila.  
KEITH